A CAREFUL EXAMINATION IN RESPONSE TO AL-HAZMI IBN ‘UMAR

To The Honorable Sheikh: Abu 'Abd al-Rahman 'Ubaidah al-Athbaji, May Allah Preserve Him.

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English Translation

This is a reflection on Al-Hazimi and his followers regarding the issue of declaring takfīr on those who excuse mushrikeen (polytheists), and their claim that whoever hesitates and does not declare a mushrik a disbeliever is himself a mushrik in the same way.

They declare the specific excuser (*al-ʿādhir al-muʿayyan*) a disbeliever unconditionally, without distinguishing between someone who rejects the text (*al-rādd al-nass*) and someone for whom the text is unclear, who interprets it in a reasonable way supported by Sharʿī evidence but mistakes in ta'wil (interpretation).

We say to them:

clarify for us, is declaring a mushrik a disbeliever (*takfīr al-mushrikīn*) part of the fundamentals of religion (*Asl al-dīn*), or a matter of apparent legal rulings (*furūʿ al-fiqh*), or a matter of hidden or subtle issues (*masāʾil khafiyya*)?

First: if they say that declaring a mushrik as a disbeliever is part of the fundamentals of religion..

1. Then where is the proof from the Qur'an and Sunnah?

The fundamentals of religion have been made clear by Allāh in a sufficient and decisive way: to worship Allāh alone, without any partner, and to dissociate from all other deities. This is the meaning of ***lā ilāha illā Allāh***.

So where is the takfir for the one who excuses mushrikeen in the explanation of the word of Tawhīd?! You will not find, and you will never find, any text from the Qur'an or Sunnah declaring the excuser a disbeliever. Has Allāh neglected (far be it) to clarify the fundamentals of religion to the point that there is no final text in its explanation?

Moreover, declaring *takfīr al-mushrikīn* falls under the tafsir of *lā ilāha illā Allāh* by necessary implication; dissociation (*barāʾa*) from other deities means declaring their worshippers as disbelievers.

But it could happen that a person has some doubt which leads him to dissociate from the worshippers *without* declaring *takfīr al-mushrikīn*; in this case, it cannot be said of him that he has failed to affirm the meaning of ***lā ilāha illā Allāh***.

Whoever says that the word of Tawhīd (*lā ilāha illā Allāh*) automatically means declaring takfir al-mushrikeen must provide proof, because both language and Sharʿī law do not support that.

It is surprising that Al-Hazimi – may Allāh guide him – considers declaring the excuser a disbeliever as part of the fundamentals of religion, yet in private he says that this issue is "Hazimi" to show off!

Does that mean the fundamentals of religion belong only to Al-Hazimi and no one else can know them?

If he says: others know it too, then calling it "**Hazimi**" is simply false and showing pride in something he was not given.

I believe it is really "Hazimi" only because he introduced it, and it is not part of the fundamentals of religion.

2. **Distinguishing between similar matters**

From the signs of innovation (*bidʿa*) is confusing things that are not the same, and Al-Hazimi has fallen into that in several ways:

<u>First aspect:</u> Al-Hazimi declares takfir on the excuser of someone who prays at graves a disbeliever, but he does not declare the excuser of someone who follows man-made laws a disbeliever!!

The fundamentals of religion do not allow ignorance or ta'wil, so how can he accept ta'wil for the excuser of tyrannical rulers and those who follow them?!

As Sheikh Al-Amīn Al-Shanqītī said:

"Associating partners with Allāh in His rule and associating partners with Him in worship are the same. There is no difference between them at all. Whoever follows a system other than Allāh's system, or legislation other than Allāh's law, is like someone who worships an idol or bows to a statue. There is no difference between them; both are one, and both are mushrikeen regarding Allāh."

[See *Adwā' al-Bayān*, 7/162]

Al-Shanqiti explicitly states that there is “no difference between them at all”; rather, I say: indeed, committing shirk with Allāh in His rule (*hukm*) is of two types:

A.) Shirk in hākimiyyah of the same kind as shirk in rubūbiyyah:

It is the shirk of absolute legislation; whoever legislates alongside Allāh has set himself up as a lord.

If he actually legislates, then he is like the rabbis and monks who set themselves up as lords by declaring things lawful and unlawful.

As Allāh تعالى said: {***They took their rabbis and monks as lords besides Allāh***}:

So they became lords through declaring lawful and unlawful, as mentioned in the hadīth of ʿAdī ibn Hātim,

This is if he actually legislates; rather, even if he merely claims the right of legislation, he has set himself up as a lord alongside Allāh.

And he would be like the statement of al-Namrūd, as mentioned in the Book of Allāh: {***He said: I give life and cause death***}:

This is merely a claim, otherwise giving life and causing death is impossible for him.

So the one who claims the right of legislation: has claimed for himself an action from the actions of the Lord.

And the one who claims giving life and death: has claimed for himself an action from the actions of the Lord.

And Tawhīd al-rubūbiyyah is: to single out Allāh in His actions, so both of them have committed shirk in rubūbiyyah.

B.) Shirk in hākimiyyah is the same as shirk in worship (*ʿibādah*):

And it is the shirk of ruling by other than what Allāh has revealed and seeking judgment from man-made laws.

So ruling by other than what Allāh has revealed is shirk in worship; Allāh تعالى said: {*Indeed,* الحكم *(judgment) belongs only to Allāh; He has commanded that you worship none but Him*} (Yūsuf: 40)

So if ruling by the Sharīʿah is an act of worship, then ruling by other than it is shirk in worship.

And seeking judgment from man-made laws is shirk in worship; because Allāh made referring judgment to His Sharīʿah a part of īmān in His saying تعالى: {*But no, by your Lord, they will not believe until they make you judge concerning that over which they dispute*} (al-Nisāʾ: 65):

So if seeking judgment from the Sharīʿah is an act of worship, then whoever seeks judgment from other than it, from man-made laws, has committed shirk in worship.

We conclude from this that associating partners with Allāh in His rule and associating partners with Him in His worship are all of one meaning, in the case of ruling by man-made laws or seeking judgment from them, and upon this the statement of Shaykh al-Shanqiti is to be understood.

And indeed, associating partners with Allāh in His rule is more dangerous and more severe than associating partners with Him in His worship, in the case of legislating alongside Allāh; because it is shirk in rubūbiyyah, and it is more severe than shirk in ulūhiyyah (worship):

<u>So how does Al-Hazimi differentiate between similar matters?</u>

And how does he excuse the one who excuses those who rule by man-made laws and those who seek judgment from them based on ta'wil , yet he does not excuse the one who excuses the grave-worshipper based on ta'wil?!

And how does Al-Hazimi excuse the one who excuses those who legislate alongside Allāh based on ta'wil, yet he does not excuse the one who excuses the grave-worshipper based on ta'wil, even though the first is more serious and more severe?!

So if declaring a mushrik a disbeliever (*takfīr al-mushrikeen*) is from the fundamentals of religion (*uṣūl al-dīn*), then how can ignorance and ta'wil be accepted in the case of one who excuses the worshipper of man-made laws?!

The second point: Al-Hazmi considers declaring the excuser a disbeliever to be from the fundamentals of religion, but he does not consider declaring the excuser of the excuser a disbeliever to be from the fundamentals of religion.

So either he must stick to his view and continue making takfīr step by step, because declaring takfir al-mushrikeen is, according to him, from the fundamentals of religion: so the grave-worshipper is a mushrik, the one who excuses him is a mushrik, and the one who excuses the excuser is also a mushrik– since Tawhīd and shirk are opposites that cannot come together nor both be absent; if a person is not a monotheist, then he is a mushrik. In this way, he is forced into an endless chain of takfīr or into contradiction. **So we say to him:** how did you differentiate between one deviant and another, O clever one?!

Secondly: if they say that declaring a mushrik a disbeliever is from the apparent matters (*masāʾil ẓāhirah*):

Then, according to them, the basis for declaring someone a disbeliever is:

that the one who excuses a mushrik has denied something necessarily known of the religion (*maʿlūm min al-dīn bi'l-darūrah*), and this is what Al-Hazimi often repeats in his lessons.

We say: declaring takfir al-mushrikeen may indeed be from the apparent matters, and the excuser may be denying something necessarily known of the religion – such as the one who does not declare the Jews and Christians, or those who follow a religion other than Islam, or those whose disbelief is clearly stated in the Qur'an, to be disbelievers.

But it may also be a hidden matter in the case of someone who ascribes himself to Islam but falls into something that nullifies it.

Ibn Taymiyyah said, explaining the apparent matters: "However, that occurs among groups of them in matters that are clear and well-known, which both the general public and the scholars among the Muslims know to be from the religion of Islam; rather, even the Jews and the Christians know that Muhammad (peace and blessings be upon him) was sent with it, and that he declared those who oppose it to be disbelievers." – *Majmūʿ al-Fatāwā* [4/54].

And whoever claims that all forms of shirk are known to both the scholars and the common people is a liar, a liar, a liar; because the matter has become confused for many of the scholars, let alone the common people!

Al-Hazimi holds the view that seeking intercession (*shafāʿah*) from someone whose intercession is hoped for during his lifetime is from major shirk (*shirk akbar*), and he has a series on this titled: *(al-Qawl al-Sadīd fī Bayān Hukm Talab al-Shafāʿah min al-Shahīd)*, in which he concludes that it is from major shirk. So is this form of shirk something known to both the scholars and the common people?!

If he says: "Yes" then his confusion and inconsistency become clear for all to see.

And if he says: "No" then he must accept that forms of shirk vary – some are clear and some are hidden – and that not all of them are from the apparent matters.

If he admits this: then he must also stop making absolute statements in declaring the excuser a disbeliever.

And if he does not admit this: then he must declare takfir on those who do not declare the one who seeks intercession from the martyr (*shahīd*) to be a disbeliever.

At that point, there would hardly remain any Muslims on the face of the earth except a very small number, since the scholars themselves have differed about this act – whether it is major shirk, minor shirk, an innovation (*bidʿah*), or permissible – so how can someone takfir the one who does not declare takfir?!

Thirdly: if they say that declaring takfir al-mushrikeen includes matters that are hidden (*masāʾil khafiyyah*).

We say: then it is not correct to make unrestricted takfīr of the excuser; rather, the one who excuses a mushrik who ascribes himself to Islam is not declared a disbeliever until the clarification (*bayān*) is established.

As was stated by Shaykh Sulaymān ibn ʿAbdullāh regarding the one who does not declare the mushrikeen to be disbelievers, when he said:

"If he has doubt about their disbelief, or is ignorant of it, then the proofs from the Book of Allāh and the Sunnah of His Messenger are clarified to him, and the evidence of their disbelief is made clear to him. If he still doubts or hesitates after that, then he is a disbeliever, by the consensus of the scholars, that whoever doubts the disbelief of a disbeliever is himself a disbeliever." End quote.

It is clarified to him because it may be that a doubtful (*mutashābih*) text became confusing to him, so he thought it was clear and decisive (*muḥkam*), and thus he used it to excuse the mushrik.

So our disagreement with the one who excuses the mushrik is: due to texts that are ambiguous, which he thought were clear, and so he fell into an ta'wil that seemed acceptable to him based on Sharʿī evidence.

Such as His saying تعالى: {***They said: O Mūsā, make for us a god just as they have gods. He said: indeed, you are a people who are ignorant***} (al-Aʿrāf: 138). And the ḥadīth of Dhāt Anwāṭ and others.

Shaykh al-Islām said while speaking about the causes of disagreement:

"He may believe that this indication is opposed by something else which shows that it is not intended."

And he رحمه الله said:

"And takfir is from the matters of threat (*waʿīd*); even if a statement is a denial of what the Messenger صلى الله عليه وسلم brought, a person may be new to Islam or may have grown up in a distant desert, and such a person is not declared a disbeliever for what he denies until the proof is established upon him. And a person may not have heard those texts, or may have heard them

but they were not established for him, or something else opposed them in his mind which made him interpret them, even if he is mistaken."

In conclusion:

It is necessary for you, O brother in Tawhīd, to be careful and not to rush in passing judgments of takfir upon the people of Islam except with certainty and clear proof, not based on assumption or speculation, and not to let your creed become merely a reaction against the Murjiʾah and the Jahmiyyah such that you fall into extremism (*ghulūw*).

I ask Allāh to guide Shaykh al-Hazimi to the straight path, and to forgive us our sins and our excesses in our affairs; indeed, He is capable of all things.

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